

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Northern Division)**

BALTIMORE COUNTY BRANCH OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE, *et al.*,

Plaintiffs,

v.

BALTIMORE COUNTY, MARYLAND, *et al.*,

Defendants.

Civil Action No. LKG-21-03232

**[PROPOSED] ORDER ON PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION**

THIS MATTER having come before the undersigned by way of Plaintiffs' Motion for Preliminary Injunction; and having considered that Motion and any opposition filed in response, as well as the pleadings of record and the arguments of counsel; the Court is of the opinion that Plaintiffs' Motion for Preliminary Injunction should be granted. The Court hereby makes the following findings and conclusions:

1. This Court has jurisdiction to hear Plaintiffs' claim pursuant to 28 U.S.C. § 1331.
2. A court may enter a preliminary injunction if a plaintiff shows "(1) that he is likely to succeed on the merits, (2) that he is likely to suffer irreparable harm in the absence of preliminary relief, (3) that the balance of equities tips in his favor, and (4) that an injunction is in the public interest." *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).
3. Plaintiffs are likely to succeed on the merits of their claim that the failure of Baltimore County to create a second majority-Black councilmanic district constitutes vote dilution in violation of Section 2 of the federal Voting Rights Act, 52 U.S.C. § 10301.

4. Baltimore County Council Bill 103-21 is causing irreparable injury to Plaintiffs and will continue to cause irreparable injury unless such conduct is preliminarily enjoined.

5. The equities favor granting this preliminary injunction, in part because any potential harm to Defendants resulting from granting this preliminary injunction is far outweighed by the irreparable harm to Plaintiffs that would result from denying such relief.

6. Granting a preliminary injunction in this case will serve the public interest.

IT IS THEREFORE ORDERED that:

1. Defendants and all persons acting in concert or participation with Defendants, or pursuant to Defendants' authority, direction, or control, are hereby immediately enjoined from enforcing or giving any effect to the boundaries of councilmanic districts as drawn in Bill 103-21 from enforcing or giving any effect to the boundaries of councilmanic districts as drawn in Bill 103-21 or any other district map that does not provide for at least two districts the population of which is majority Black;

2. The parties shall appear for a remedial hearing to determine the appropriate remedy on _____, 2022, at _____; and

3. This Order shall remain in effect until further order of the Court.

So ordered, this the ____ day of _____, 2022.

LYDIA KAY GRIGGSBY
United States District Judge